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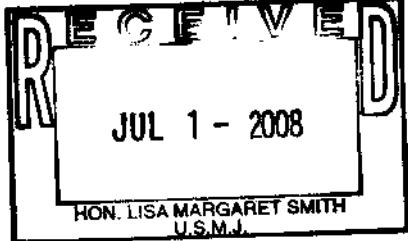
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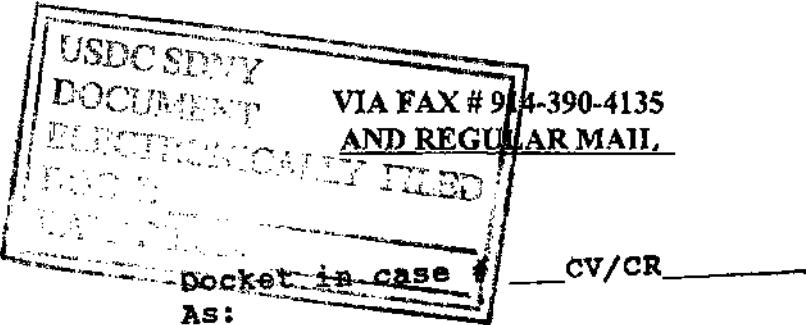
Earl S. Jones, Jr. (1924-2004)



Re: Payne v. Dempsey Pipe et al
Case 1:08-cv-01933 (LMS) (SDNY)
Our File No. 149.25804

Hon. Lisa Margaret Smith, U.S.M.J.
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Dear Judge Smith:



This is in follow up to my assistant's telephone conference with your clerk, Stephanie, and Mr. Goldblatt's office this date, in the above entitled matter. We request that the conference scheduled before Your Honor on Monday, July 7, 2008, at 11:30 a.m., be adjourned, on consent, to either September 8 or 9, 2008, or another date convenient to the Court. Due to our full calendars, we have not been able to determine a date when we are both available in July or August.

Please confirm that the July 7, 2008 conference has been adjourned and advise us of the new conference date before Your Honor in White Plains.

Deemed letter motion. Motion granted. Conference rescheduled to September 8, 2008, at 11:00 am, in Courtroom 420, 300 Quarropas Street, White Plains NY. In light of this delay the Court expects significant discovery to have been completed by that date. SO ORDERED
Lisa Margaret Smith, U.S.M.J.
7/1/08

Hon. Lisa Margaret Smith, U.S.M.J.
Re: Payne v. Dempsey Pipe, et al
Case 1:08-cv-01933 (LMS)

July 1, 2008
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If you have any questions or need anything additional, please do not hesitate to contact us. Thank you for your consideration and attention to this matter.

Respectfully yours,

MAYNARD, O'CONNOR, SMITH & CATALINOTTO, LLP

By 
Michael E. Catalinotto, Jr.
catalinottojr@moscllp.com
(Signed in his absence to avoid delay.)

MCJ:mrp/352816.1

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